

Appl. Serial No. 09/715,290
Atty Dckt No. PLST-0307US (Formerly Docket No. 5831.58/P/CIP/Re/C)
AMENDMENT AND RESPONSE

REMARKS

Applicant has carefully reviewed the above-noted Office Action, and herein responds to the rejection of pending Claims 5, and 23-58 of the present Application. Reconsideration and favorable action is respectfully requested.

Applicant respectfully traverses the rejection of Claim 5, 27 and 49 as set forth in the second paragraph number 1 on page 2 of the Office Action. Note is made that the limitation of Claim 1, lines 15-18 sets forth:

(e) a cam adapted to move the position of said bending plate laterally with respect to said support member and thereby urge said free end portions into contact with said terminal balls between the centerline thereof and the face from which they depend.

(Emphasis Added).

Claim 5, sets forth "Apparatus as defined in claim 1 wherein said cam contacts and moves said support member."

Applicant notes that the above noted limitation from Claim 1, lines 15-18 reads on the both embodiment of Figures 2 and 3 (in which the cam 50 moves the bending plate 28), and the embodiment of Figures 6 and 7 (in which the cam 50 moves the support member 22). Claim 1, lines 15-18 indicates that the bending plate is moved "with respect to" the support member, and only specifies respective movement. Whether one or both the bending plate and the support member is moved is not specified, but rather only that the position of the bending plate moves relative to the support member. Dependant Claim 5 then adds additional limitations, providing claim differentiation, by specifying that the cam contacts and moves the support member. Applicant requests withdrawal of the rejection of Claim 5.

Claim 23, similar to Claim 1, in lines 16-18 sets forth:

(e) a cam adapted to move the position of said bending plate laterally with respect to said support member and thereby urge said free end portions into

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contact with the terminal balls.
(Emphasis Added).

Claim 27, sets forth "Apparatus as defined in Claim 23 wherein said cam contacts and moves said support member."

Applicant notes that the above noted limitation form Claim 23, lines 16-18 reads on the both embodiment of Figures 2 and 3 (in which the cam 50 moves the bending plate 28), and the embodiment of Figures 6 and 7 (in which the cam 50 moves th support member 22). Claim 23, lines 16-18 indicates that the bending plate is moved "with respect to" the support member, and only specifies respective movement. Whether one or both the bending plate and the support member is moved is not specified, but rather only that the position of the bending plate moves relative to the support member. Dependant Claim 27 then adds additional limitations, providing claim differentiation, by specifying that the cam contacts and moves the support member. Applicant requests withdrawal of the rejection of Claim 27.

Claim 47, similar to Claims 1 and 23, sets forth in lines 17-20 sets forth:

(e) a cam adapted to move the position of said bending plate laterally with respect to said support member and thereby urge said free end portions of said elongated contact members into contact with the respective ones of the terminal balls.
(Emphasis Added).

Claim 49, sets forth:

said cam contacts and moves only one of said bending member and said support member, and said apparatus further comprising spring means to urge said one of said bending plate and said support plate laterally with respect to the other of said bending plate and said support member.

Applicant notes that the above noted limitation form Claim 47, lines 17-20 reads on the both embodiment of Figures 2 and 3 (in which the cam 50 moves the bending platc 28), and the

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embodiment of Figures 6 and 7 (in which the cam 50 moves th support member 22). Claim 47, lines 17-20 indicates that the bending plate is moved "with respect to" the support member, and only specifies respective movement. Whether one or both the bending plate and the support member is moved is not specified, but rather only that the position of the bending plate moves relative to the support member. Dependant Claim 49 then adds additional limitations, providing claim differentiation, by specifying that the cam contacts and moves the support member. Applicant requests withdrawal of the rejection of Claim 49.

Applicant respectfully traverses the rejection of Claims 23-58 under 35 U.S.C. sec. 112, second paragraph, as set forth on page 2 of the above-noted Office Action. Applicant first traverses the assertion that Amendment to Claims 23-58 found in Paper No. 14 filed Dec. 23, 2002 provides evidence that Claims 23-58 fail to correspond in scope with that which applicant regards as the invention. Rather, Amendment cited by the Examiner, filed as Paper No. 14 on Dec. 23, 2003 instead provides evidence of that which Applicant considers Claims 23-58 as part of the invention of the present Application, because Claims 23-58 were amended to their present form in the cited Amendment. In particular, Paper No. 14 filed on Dec. 23, 2002 was filed to include Claims 23-58 in their present form, based on the original drawings and Detailed Description of U.S. Patent No. 5,611,705, on which the present broadening reissue application is based. Additionally, the present Application was filed as a continuation of such related Application, and being co-pending at the same time as the noted related Application, which was being presented on Appeal to the Board of Patent Appeals and Interferences. Applicant respectfully submits for the Examiner's consideration that since Paper No. 14 both cancels previously amended matter which is pending on appeal in a related Application and presents Claims 23-58, Paper No. 14 evidences that Applicant regards then amended Claims 23-58 as his invention, and that cancelling matter on Appeal in a related application is not a "statement" contrary to Applicant considering the then newly amended claims as being directed toward his invention.

Applicant further notes that the Manual of Examining Procedure, Rev. 1 of Feb. 2003, in sec. 706.03(d), in discussing rejections under 35 U.S.C. 112, Second Paragraph and Form

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Paragraph 7.34, in Examiner Note 2, notes that "This paragraph is to be used only where applicant has stated, somewhere other than in the application, as filed, that the invention is something different from what is defined in the claims(s)." (Emphasis Added). Applicant notes that in Paper No. 14, Applicant has not "stated" anything regarding the claims as presented not being that which Applicant regards as his invention. Applicant requests withdrawal of the rejection of Claims 23-58 under 35 U.S.C. 112, second paragraph.

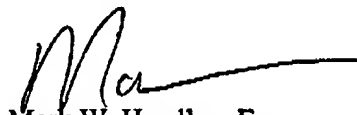
Applicant requests a telephone interview with the Examiner after the Examiner receives this paper, and requests that the Examiner contact Applicant's attorney listed below to arrange an appropriate time to discuss any substantive issues pending in the Application after entry and consideration of this Amendment.

Applicant has now made an earnest attempt to place the application in condition for allowance. For the reasons stated above, Applicant respectfully requests full allowance of the claims as amended and that the Application proceed to issuance.

The U.S. Patent & Trademark Office is hereby authorized to charge any fees due or credit any overpayments to Deposit Account No. 502112/PLST-0307US for the firm CHAUZA & HANDLEY, L.L.P.

Respectfully submitted,

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